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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,396	09/24/2001	Stephen McCann	3036/50289	5628

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Crowell & Moring L.L.P.
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P.O. Box 14300
Washington, DC 20044-4300

EXAMINER

WILLIAMS, JEFFERY L

ART UNIT	PAPER NUMBER
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2137

MAIL DATE	DELIVERY MODE
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08/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/960,396

Applicant(s)

MCCANN ET AL.

Examiner

Jeffery Williams

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 18, 2007
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the communication filed on 5/18/07.
All objections and rejections not set forth below have been withdrawn.
Claims 1 – 9 and 21 are pending.
Claim 10 has been cancelled.
Claims 11 – 20 and 22 have been withdrawn from consideration.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Election/Restrictions

Applicant's election with traverse of claims 1-9 and 21 in the reply filed on 5/18/07 is acknowledged. The traversal is on the ground(s) that the restricted claims were previously rejected by the examiner and the restricted groupings were previously classified differently. This is not found persuasive because the rejected claims were subsequently amended and it was the applicant's request for the claims to be reconsidered by the examiner. The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

Claims 1 – 9 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prins, “Authentication System”, Dutch Patent 1007409, in view of Agrawal et al. (Agrawal), “Get Wireless: A Mobile Technology Spectrum”, in view of Feder et al. (Feder), “Point-to-Point Protocol Encapsulation in Ethernet Frame”, U.S. Patent 6,512,754.

Regarding claim 1, Prins discloses a method wherein a user may employ a mobile phone (fig. 1:8), so as to gain network access for a terminal/browser (fig. 1:2; pg. 3:21-23; pg. 5:16-18). The process involves a PIN issued by an authentication server (fig. 1:4; pg. 4:5), encoding and forwarding (pg. 4:7) the PIN to the user's mobile telephone (pg. 4:7,8), and transferring the PIN to the browser to authenticate the requested visiting access to the network, the requested access achieved via the user's browser (pg. 4:9-14; fig. 1:2; pg. 5:16-18).

Prins, however, does not appear to disclose that a user can employ the mobile phone and terminal/browser to access a wireless LAN.

Agrawal discloses that modern computer users require mobile access to networks (i.e. wireless LANs)(pg. 18:par. 4; fig. 1) and may employ their mobile phone - having a valid cellular mobile account (Agrawal, pg. 18:par. 7:lines 10,11, see also pg. 19, par. 2 – herein is disclosed that the mobile device is associated with the

1 corresponding cellular service) and terminal/browsers to gain such access (pg. 23: par.
2 3,4).

3 It would have been obvious to one of ordinary skill in the art to employ wireless
4 access methods of Agrawal with the authenticate access methods of Prins. This would
5 have been obvious because one of ordinary skill in the art would have been motivated
6 by the demands of mobile users.

7 The combination enables *a user requesting visiting access to the first W-LAN*
8 (Prins, pg. 3:18-20; Agrawal, fig. 1). However, the combination does not appear to
9 disclose the details of registration and billing associated with mobile access.

10 Feder discloses details regarding registration and billing associated with mobile
11 access. Namely, *a registration with a second W-LAN operator that administers a home*
12 *authentication, authorization and accounting (HAAA) server* (fig. 27: "Home IWF..."; fig.
13 14; 8:38-57); *conveys to the VAAA server, by user intervention, identity information*
14 *sufficient to enable said VAAA server to communicate with said HAAA server so as to*
15 *authenticate the proposed connection* (16:9,10; 17:11-26); *the cost of such access*
16 *being billed to the user's cellular mobile account* (9:1-3; 28:4-20).

17 It would have been obvious to one of ordinary skill in the art to employ the
18 teachings of Feder for practically implementing mobile network registration and billing
19 within the combination of Prins and Agrawal for mobile network access. This would
20 have been obvious because one of ordinary skill in the art would have been motivated
21 by the requirement to practically implement mobile network access.

1 Regarding claim 2 the combination enables:

2 *wherein the transfer of the PIN to the browser is effected manually by the user*
3 *(Prins, 6:8-14).*

4
5 Regarding claim 3 the combination enables:

6 *wherein the portable computing device is coupled to the mobile telephone and*
7 *the transfer of the PIN to the browser is effected automatically by means including*
8 *software supported by the portable computing device (Prins, 6:8-14).*

9
10 Regarding claim 4 the combination enables:

11 *wherein the PIN issued by the HAAA is encoded and forwarded to the user's*
12 *mobile telephone by means of a short message service centre (Prins, 4:5-7).*

13
14 Regarding claim 5 the combination enables:

15 *wherein the user employs the browser to convey said identity information, via the first*
16 *W-LAN, to the VAAA (Feder, 17:3-16).*

17
18 Regarding claim 6 the combination enables:

19 *wherein the PIN is combined with masking information (Prins, 5:1-7; 6:3-7 –*
20 *herein the PIN is encrypted via transmission).*

Regarding claim 7, the combination is silent regarding a random derivation of masking information. However, the examiner points out that it is well known in the art of encryption to employ random elements for purpose of security. The examiner notes that evidentiary textbooks such as Schneier, "Applied Cryptography, Second Edition", pg. 170-5, may be considered should the applicant feel necessary.

Regarding claim 8, the combination enables:

26). The mobile user communicates with the FA through a mobile telephone.

Regarding claim 9, the combination enables: *wherein the telephone call from said user is routed to the HAAA through a premium rate call unit* (Feder, 28:4-20).

Regarding claim 21, the combination enables *wherein the portable computing device is coupled to the mobile telephone via a wireless link* (Agrawal, pg. 23, par. 4)

Response to Arguments

Applicant's arguments with respect to claims 1 – 9, and 21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

See Notice of References Cited

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery Williams whose telephone number is (571) 272-7965. The examiner can normally be reached on 8:30-5:00.

1 If attempts to reach the examiner by telephone are unsuccessful, the examiner's
2 supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone
3 number for the organization where this application or proceeding is assigned is 571-
4 273-8300.

5 Information regarding the status of an application may be obtained from the
6 Patent Application Information Retrieval (PAIR) system. Status information for
7 published applications may be obtained from either Private PAIR or Public PAIR.
8 Status information for unpublished applications is available through Private PAIR only.
9 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
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12 USPTO Customer Service Representative or access to the automated information
13 system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

14
15 J. Williams
16 AU: 2137




EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER